

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 13
)
GEORGE DAVID DORRELL) CASE NO. 18-57934-PMB
CAROL LYNN DORRELL)
)
DEBTORS.)

**CHAPTER 13 TRUSTEE'S
OBJECTION TO CONFIRMATION & MOTION TO DISMISS**

COMES NOW Melissa J. Davey, Chapter 13 Trustee, and objects to confirmation of the plan and files this motion to dismiss under 11 U.S.C. Section 1307(c), for cause, including the following reasons:

1. In accordance with General Order Nos. 18-2015 and/or 22-2017 and the Statement of Rights and Responsibilities, the Debtors' attorney should timely provide proof of Debtor/Husband's \$1,676.00 per month social security income, Debtor/Wife's \$1,211.00 per month social security income, and Debtors' \$1,695.00 per month rental income to the Chapter 13 Trustee. 11 U.S.C. Sections 521(a)(1), 1325(a)(3), 1325(a)(6), 1325(b)(1)(B) and Bankruptcy Rule 1007.

2. The Chapter 13 plan proposes to pay \$5,000.00 to the Debtors' Attorney for payment of attorney fees. The Trustee is unable to determine whether this is a reasonable fee and would request that Debtors' counsel appear at confirmation and be prepared to present evidence to the Court regarding the reasonableness of the requested fee.

3. Pursuant to Debtors testimony at the Meeting of Creditors, the Debtors pay an eight percent (8%) fee to a property management company and the Homeowner's Association is \$273.00 per month. As a result, the property in Florida appears to lose money.

WHEREFORE, Trustee moves this Honorable Court to inquire into the above objections at the separately scheduled and noticed confirmation hearing, deny confirmation of the Chapter 13 plan, dismiss the case, and for such other and further relief that this Court deems just and proper.

/s/ Jason L. Rogers 
Jason L. Rogers
Attorney for Chapter 13 Trustee
GA Bar No. 142575

Melissa J. Davey, Chapter 13 Trustee
Suite 200 – 260 Peachtree Street, N.W.
Atlanta, Georgia 30303
(678) 510-1444

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CERTIFICATE OF SERVICE

This is to certify that I have this day served:

DEBTOR(S):
GEORGE DAVID DORRELL
CAROL LYNN DORRELL
1981 WESTWOOD CIRCLE
SMYRNA, GA 30080

DEBTOR(S) ATTORNEY:
SLIPAKOFF & SLOMKA, PC
OVERLOOK III, SUITE 1700
2859 PACES FERRY RD, SE
ATLANTA, GA 30339

in the foregoing matter with a copy of this Objection to Confirmation & Motion to Dismiss by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

Tuesday, July 3, 2018

/s/ 

Jason L. Rogers
GA Bar No. 142575
Attorney for Melissa J. Davey, Chapter 13 Trustee
260 Peachtree Street, NW, Suite 200
Atlanta, GA 30303
Telephone: 678-510-1444
Facsimile: 678-510-1450